

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION AT COLUMBUS

JONATHAN DARNELL FITTS	:	Case No. 2:24-cv-3887
	:	
Plaintiff,	:	
	:	
vs.	:	Judge Edmund A. Sargus, Jr.
	:	Magistrate Judge Caroline H. Gentry
WILLIAM COOL – WARDEN, <i>et al.</i> ,	:	
	:	
Defendants.	:	

ORDER

Plaintiff Jonathan Fitts has two *pro se* civil rights cases pending before this Court:

1. *Fitts v. Crabtree, et al.*, S.D. Ohio Case No. 2:24-cv-1040, and
2. *Fitts v. Cool, et al.*, S.D. Ohio Case No. 2:24-cv-3887.

It appears that this case—the second case, Case No. 2:24-cv-3887—was opened in error. The two cases appear to concern the same February 3, 2024 incident. This second case will therefore be dismissed as duplicative. Plaintiff’s claims will continue at this time in the first case, Case No. 2:24-cv-1040.

In the first case, on July 29, 2024, the Court ordered Plaintiff to file an Amended Complaint. (*See* Doc. No. 7 in Case No. 2:24-cv-1040.) Plaintiff did so, submitting an “Amended Complaint” on or around August 15, 2024. However, because Plaintiff did not include the case number on his Amended Complaint and captioned the case differently, the Amended Complaint was docketed as a new complaint and started a new case (Case No. 2:24-cv-3887). In reality, the Amended Complaint belongs in the first case (Case No. 2:24-cv-1040). The Clerk is therefore **DIRECTED** to docket a copy of the Amended Complaint filed in this second case (Doc. No. 1 in Case No. 2:24-cv-3887) in the first case (Case No. 2:24-cv-1040).

This second case, Case No. 2:24-cv-3887, is **DISMISSED** as **duplicative**. The Court dismisses the case rather than consolidating the two cases so that Plaintiff does not have to pay two filing fees to bring one dispute to the Court. The Court will consider Plaintiff's claims concerning the February 3, 2024 incident in the first case, No. 2:24-cv-1040, if the claims pass the required initial screening. (*See* Doc. No. 9, PageID 51 in Case No. 2:24-cv-1040.)

Plaintiff is **REMINDED** that he must include the proper case number on every document he submits to this Court. He must also keep this Court informed of his current address while this case is pending.

This case, Case No. 2:24-cv-3887, is **TERMINATED** on the docket.

IT IS SO ORDERED.

10/16/2024
DATE

s/Edmund A. Sargus, Jr.
EDMUND A. SARGUS, JR.
UNITED STATES DISTRICT JUDGE